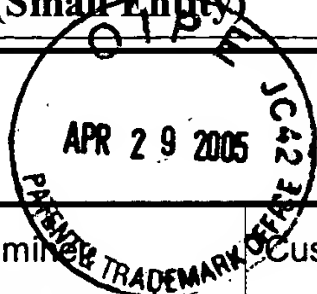


**COMBINED AMENDMENT & PETITION FOR EXTENSION OF
TIME UNDER 37 CFR 1.136(a) (Small Entity)**

Docket No.
13711

In Re Application Of: **Joseph A. Rothnagel, et al.**



Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
09/880,253	June 13, 2001	T. McKelvey	23389	1636	7342

Invention: **EXPRESSION MODULATING SEQUENCES**

COMMISSIONER FOR PATENTS:

This is a combined amendment and petition under the provisions of 37 CFR 1.136(a) to extend the period for filing a response to the Office Action of July 28, 2004 in the above-identified application.
Date

The requested extension is as follows (check time period desired):

☒ One month ☐ Two months ☐ Three months ☐ Four months ☐ Five months

from: March 27, 2005 until: April 27, 2005
Date *Date*

Notice of Appeal filed on 1/27/05. OIPE date 1/31/05. To file RCE 4/27/05.

Applicant claims small entity status. See 37 CFR 1.27.

The fee for the amendment and extension of time has been calculated as shown below:

CLAIMS AS AMENDED

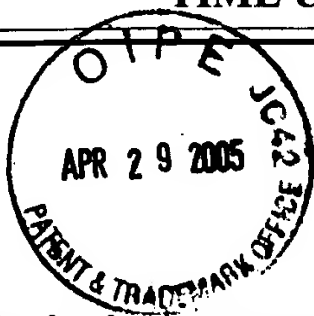
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST # PREV. PAID FOR	NUMBER EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE
TOTAL CLAIMS	40 -	137 =	0	x \$25.00	\$0.00
INDEP. CLAIMS	11 -	16 =	0	x \$100.00	\$0.00
FEE FOR AMENDMENT					\$0.00
FEE FOR EXTENSION OF TIME					\$60.00
TOTAL FEE FOR AMENDMENT AND EXTENSION OF TIME					\$60.00

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**COMBINED AMENDMENT & PETITION FOR EXTENSION OF
TIME UNDER 37 CFR 1.136(a) (Small Entity)**

Docket No.
13711



The fee for the amendment and extension of time is to be paid as follows:

- ☒ A check in the amount of **\$60.00** for the amendment and extension of time is enclosed.
- ☐ Please charge Deposit Account No. _____ in the amount of _____
- ☒ The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. **19-1013/SSMP**
- ☒ Any additional filing fees required under 37 C.F.R. 1.16.
- ☒ Any patent application processing fees under 37 CFR 1.17.
- ☒ If an additional extension of time is required, please consider this a petition therefor and charge any additional fees which may be required to Deposit Account No. **19-1013/SSMP**
- ☐ Payment by credit card. Form PTO-2038 is attached.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.


Signature

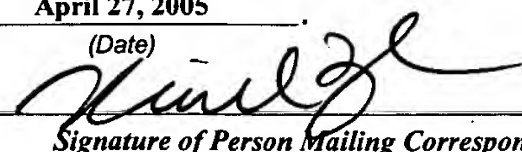
Dated: April 27, 2005

Xiaochun Zhu
Registration No. 56,311
Scully, Scott, Murphy & Presser
400 Garden City Plaza-Ste 300
Garden City, New York 11530
(516) 742-4343

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on

April 27, 2005

(Date)


Signature of Person Mailing Correspondence

Xiaochun Zhu

Typed or Printed Name of Person Mailing Correspondence

cc: XZ:ab